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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

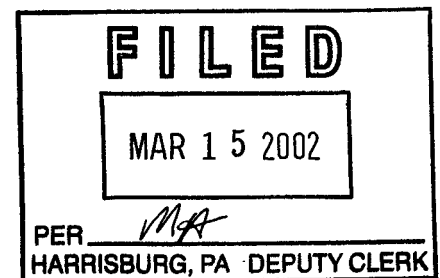
JOHN RICHARD JAE,
Plaintiff

v.

**KENNETH K. KYLER,
JOHN A. PALAKOVICH,
WILLIAM J. RHOADES,
MARTIN DRAGNOVICH,
OFFICER RUBENDALL, and
OFFICER RAGER,**

Defendants

CIVIL NO. 1:CV-00-0315



ORDER

Before the court is a February 6, 2002 report and recommendation of the magistrate judge to which no objections have been filed.¹ Upon review of the applicable law and the record before the court, **IT IS HEREBY ORDERED THAT:**

- 1) The court adopts the report and recommendation of Magistrate Judge Smyser.
- 2) Defendants' motion for summary judgment is granted in part as to Plaintiff's access to the courts claims and free exercise of religion claim.
- 3) The Clerk of Court shall enter the partial grant of summary judgment in favor of Defendants and against Plaintiff on the claims listed in ¶ 2 of this order.


¹On February 22, 2002, Plaintiff filed a motion for an extension of time to file objections to the report and recommendation of the magistrate judge. Plaintiff was granted an extension to March 11, 2002 in which to file his objections. To date, no objections have been filed by Plaintiff.

4) All of Plaintiff's other federal claims are dismissed without prejudice based on Plaintiff's failure to exhaust administrative remedies.

5) This court declines to exercise supplemental jurisdiction over Plaintiff's state law claims and those claims are dismissed.

6) It is certified that any appeal from this order will be deemed frivolous and not taken in good faith.

7) The Clerk of Court shall close the file.


SYLVIA H. RAMBO
United States District Judge

Dated: March 13, 2002.